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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,)
09 Plaintiff,) CASE NO. CR04-110-JCC
10 v.)
11 ANTHONY WARD,) PROPOSED FINDINGS OF FACT
12 Defendant.) AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE
13)

14 INTRODUCTION

15 I conducted a hearing on alleged violations of supervised release in this case on October
16 28, 2016. The United States was represented by Bruce Miyake, and defendant was represented
17 by Gregory Geist. The proceedings were digitally recorded.

18 CONVICTION AND SENTENCE

19 Defendant had been convicted on or about September 29, 2004, on a charge of felon in
20 possession of a firearm. The Hon. Marsha J. Pechman of this court sentenced defendant to 151
21 months of imprisonment, followed by three years of supervised release. He served this term of
22 imprisonment, and began his term of supervised release on November 26, 2014. This case has

01 been reassigned to the honorable John C. Coughenour.

02 PRIOR ALLEGED VIOLATIONS, AND MODIFICATIONS OF CONDITIONS

03 On three prior occasions in 2016, defendant has tested positive for various controlled
04 substances. On each occasion, defendant was reprimanded, and he was referred for treatment
05 and increased testing. The court approved no further action on those occasions.

06 PRESENTLY ALLEGED VIOLATIONS AND DEFENDANT'S ADMISSIONS

07 In an application dated October 4, 2016, USPO Martin J. Williams alleged that
08 defendant violated the conditions of supervised release in two respects:

09 1. By using cocaine and marijuana on six dates in August and September of 2016;
10 and

11 2. By using amphetamine on or before September 14, 2016.

12 I advised defendant as to these charges and as to these charges and as to his constitutional
13 rights. He admitted all of these alleged violations, waived any hearing as to whether they
14 occurred, and consented to having the matter set for a disposition hearing before Judge
15 Coughenour.

16 RECOMMENDED FINDINGS AND CONCLUSIONS

17 Based upon the foregoing, I recommend the court find that defendant has violated the
18 conditions of his supervised release in the five respects alleged, and conduct a disposition
19 hearing. That hearing is set for November 18, 2016, at 9:00 am.

20 Defendant responded to a summons to appear for initial hearing on revocation.
21 Pending disposition, defendant has been released on a recognizance bond which also
22 incorporates all conditions of his supervised release. Both parties and the U.S. Probation

Office agreed to his release on these conditions.

DATED this 28th day of October, 2016.

s/ John L. Weinberg
United States Magistrate Judge

cc:	Sentencing Judge	:	Hon. John C. Coughenour
	Assistant U.S. Attorney	:	Bruce Miyake
	Defense Attorney	:	Gregory Geist
	U.S. Probation Officer	:	Martin J. Williams